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## NEWS STORY

# Smitten Kitten Says 2 Sites Siphoning Its Online Lingerie Biz

XBIZ NEWS REPORT

By Rhett Pardon

Wednesday, Sep 29, 2010 Text size: + -

COLUMBUS, Ohio — Brick-and-mortar and online retailer Smitten Kitten says Mike Fernandez is swiping away some of its online lingerie business.

But Fernandez, who owns a number of similar-named websites, says he has been struck with claims that don't make sense from the retailer, which filed suit against him Friday.

The Minneapolis retailer, which sells online at SmittenMittenOnline.com, says it has registered the Smitten Kitten trademark for retail sex toy stores and filed suit at U.S. District Court in Columbus.

"If anyone stole the Smitten Kitten's name, it is them," Fernandez told XBIZ. "They don't have exclusive rights to the name. The name is after the 1950s cartoon 'Tom and Jerry.'"

"Smitten Kitten" is the 66th "Tom and Jerry" cartoon where Tom spots an attractive female cat and falls head over heels in love with her, dangling out his tongue as she giggles.

Further, Fernandez says, "The sites have never been active; we never launched."

Fernandez, who lives in Cincinnati, says it was his ex-girlfriend who came up with the names of the sites, SmittenKittenLingerieBoutique.com and TalkSex-AskSmittenKitten.com, as well as the Myspace blog SmittenKittens\_blog.

But Fernandez says he and his ex split up two years ago and so did the idea for commercial lingerie sites, as well as their umbrella company, Sex Toys Revolutions.

He later changed his occupation to massage therapy but kept the sites up as a tribute to his work and the "Tom and Jerry" cartoon.

"I received a letter from [SmittenKitten.com operators], and I immediately got pissed off and insulted as well because my sites looked much better than their sites," he said. "In fact, one of my main images, inspired by the 'Tom and Jerry' cartoon, was created by laboring for six hours using the smudge tool in Photoshop."

Fernandez, who was notified of the federal suit by XBIZ, said he's ready to fight the Minneapolis retailer.

"I wrote them back in a long email last year, never heard back from them, and I'm surprised to hear this just now from a reporter," he said. "The fact is the joke is on them. I never commercially launched the sites."

Smitten Kitten's counsel, Amy Ruth Ito of Columbus, did not respond to XBIZ emails or phone calls by post time.



## XBIZ POLLS

Do you think the adult entertainment industry has "bottomed out?" (out of 38 votes)

Yes	23.68%
No	68.42%
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Results based on votes submitted by members of XBIZ.net, the industry's leading social network.

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